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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Sixty-fifth year

Letter dated 10 May 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

According to mass media reports, the Republic of Armenia is planning to hold on 23 May 2010, through its subordinate separatist regime, so-called "parliamentary elections" in the occupied Nagorny Karabakh region of the Republic of Azerbaijan. In this regard, on instructions from my Government, I have the honour to state the following.

The ongoing armed conflict between Armenia and Azerbaijan has resulted in the occupation of almost one fifth of the territory of Azerbaijan and has made approximately one out of every eight persons in the country an internally displaced person or refugee; 20,000 people have been killed, 50,000 people have been wounded or have become invalids and about 5,000 citizens of Azerbaijan are still missing. The most serious international crimes have been committed during the conflict.

Armenia used military force to occupy the territory of Azerbaijan and to establish on it the ethnically constructed subordinate separatist entity, which survives by virtue of Armenia's political, military, economic and other support. It has been internationally recognized that Azerbaijani territories are under occupation and that Armenia is an occupying Power within the meaning of the relevant international legal provisions.

The Republic of Azerbaijan has repeatedly stated that, despite ongoing political efforts towards the earliest resolution of the conflict on the basis of the generally accepted norms and principles of international law, the policy and practice of the Republic of Armenia, the occupying Power, implemented inter alia through various illegal activities in the occupied territories of Azerbaijan, clearly testify to

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its intention to secure the annexation of these territories (see, for example, the most recent document circulated by Azerbaijan: A/64/760-S/2010/211).

It is not the first time that the Republic of Armenia, in open defiance of the Charter of the United Nations, fundamental principles of international law as well as the Constitution and national legislation of the Republic of Azerbaijan, is holding so-called "elections" in the occupied Nagorny Karabakh region of Azerbaijan.

It is well established, however, that democracy cannot be propagated by the sword and that an illegal act cannot produce legal rights. Therefore, against the background of continuing aggression, occupation and ethnic cleansing of the captured territories of Azerbaijan, the arranging of any kind of voting process there cannot be recognized as legally valid and affects the pre-existing legal status of these territories, which remain Azerbaijani in international law.

The international community has unequivocally condemned all previous "elections" in the occupied Nagorny Karabakh region of Azerbaijan. The Republic of Azerbaijan expects therefore that the United Nations and its Member States will voice again their unequivocal protest against the above-mentioned illegal action, which undermines its sovereignty and territorial integrity, jeopardizes the ongoing political efforts towards the settlement of the conflict and serves to further destabilize the region of South Caucasus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative